

THE ITALIAN OPERA OF 1848.

**leged Libel on the Manage-**

R. 17—*Edward P. Fry vs. James G. Bennett*.—  
was satisfaction for a series of twelve alleged

he curtain and made an announcement of his  
ion to challenge the singer. It was also pre-  
that the Opera, under the plaintiff's manage-

the defendant for these alleged libels, and  
in damages at \$26,000.

Due time the cause came on to be tried. The  
 trial commenced by abandoning one of his alleged

that the annual receipts of the Herald office

The defendant objected to the plaintiff read

things charged that there was no proof of injury or loss, and no proof of malice, except the testimony of Stockcock, and that if the jury

...give my father-in-law by way of punishment of the defendant, or by way of vindictive damage, or as smart money." The Judge refused to

Field, J. Townshend and Benj. Galbraith, for  
 defendant, and by the plaintiff's counsel. The

he Court, BOSWORTH, J.—The points most  
insisted upon in support of the motion  
are trial, etc.

nd. That the deposition of Strachey was im-

...in person, and a defendant, for a deliberate use to injure the plaintiff, wound his feelings subject his character to reproach, and that the jury is refusing to charge the jury that de-

either count, we deem it sufficient to say that, among the extrinsic facts which are avowed to me, the words published are susceptible of the emotion and meaning imputed to them by the

that he knew Strzemech, and had saw him in city about six weeks previously. That on the morning of that day he called at the house of Str-

statute on the subject declares that such a witness may be read, "after it shall have been factually proved that such witness was unable to read such declaration."

...right to read this deposition deposes, in his  
opinion, upon the question whether it was "satisfac-  
tory" proved that Strakosch had continued absent  
from the State, so that his attendance at the trial